IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2976 OF 2005
IN
SUIT NO.2287 OF 1985

State Bank of India ..Plaintiffs

Vs.

Bombay Latex and Dispensions P.Ltd.
and Ors. ..Defendants

Mr.Benedicta Lobo i/b Mulla and Mulla for the plaintiffs

Mr.Birendra Saraf with Ms.Hetal Savla i/b K.Shroff and Co. for defendant no.6

Mr.P.P.Raul i/b Nanu Hormujee for defendant no.3 to 5

CORAM : S.U.KAMDAR, J
DATED : 17TH OCTOBER, 2005

P.C.:

1. By consent of the parties, motion is placed on board for final hearing and called out.

2. The learned counsel for the defendant no.6 states that this court should grant indulgence in filing written statement if necessary on payment of heavy cost. Suit is of 1985. 20 years have passed. Written statement is not filed. However,

keeping in mind request of learned counsel for defendant no.6 to permit a short time to file written statement, I permit defendant no.6 to file written statement. The said written statement is tendered in court and taken on record. The learned counsel for defendant no.6 gives an undertaking to this court that he will pay cost of sum of Rs.50,000/- to the Maharashtra State Legal Services Authority within 14 days from today failing which written statement will be removed from the record and will not be taken into consideration. Motion disposed of accordingly. There shall be no order as to costs.